

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**WAYNE E. FERRELL, JR.; JAMES W.
NOBLES, JR.; and ANGELO DORIZAS**

PLAINTIFFS

v.

CAUSE NO. 15-228

**TAB TURNER a/k/a C. TAB TURNER a/k/a
CLYDE TALBOT TURNER a/k/a
CLYDE T. TURNER a/k/a CLYDE TAB TURNER
a/k/a TAB CLYDE TURNER; TURNER &
ASSOCIATES, P.A.; and FIRST COMMERCIAL
BANK**

DEFENDANTS

NOTICE OF WITHDRAWAL OF MOTION TO INTERVENE

PLEASE TAKE NOTICE that Gregory Cole, William M. Cole, Robert Cole, Michael Cole, Maudelene Cole, and Evelyn Cole (“Cole Family”) do hereby withdraw the motion to intervene they filed in the state court action (*Wayne E. Ferrell, et al. v. Tab Turner, et al.*; Cause No. 1:15-cv-00228; In the Circuit Court of Hinds County, Mississippi) after a Notice of Removal was filed therein. This withdrawal is without prejudice to the Cole Family’s right to later seek to intervene if the facts warrant intervention.

Respectfully submitted, this the 16th day of September, 2015.

/s/ Brian K. Herrington

Brian K. Herrington (MSB #10204)
DON BARRETT, P.A.
404 Court Square North
P.O. Box 927
Lexington, MS 39095
Tel: (662) 834-7116
Fax: (662) 834-9628
bherrington@barrettlawgroup.com

Attorney for the Cole Family

CERTIFICATE OF SERVICE

I, Brian K. Herrington, do hereby certify that a true and correct copy of the above and foregoing was filed and served via the Court's ECF system on all attorneys of record in this matter.

Dated: September 16, 2015.

/s/ Brian K. Herrington

Brian K. Herrington